

D.B. CIVIL SPECIAL APPEAL No.1007/2007
Ganga Ram & Anr. Vs. Civil Judge, (JD) Barmer

Date : 04.12.2007

HON'BLE ACTING CHIEF JUSTICE MR. RAJESH BALIA
HON'BLE MR. JUSTICE BHANWAROO KHAN

Mr.S.P.Sharma, for the appellants.

Having heard learned counsel for the appellants, we are of the opinion that no case is made out for examining the case of the appellants in this appeal. The trial court determined the interim rent and directed the appellants-defendants to pay arrears of rent to the plaintiff. The appellant had deposited the arrears but the appellants-tenants have failed to deposit the rent month by month for 5 months. Consequently, the learned trial court struck off the defence of the appellants. These findings have been affirmed by the appellate court as well as learned Single Judge, while considering the writ petition against the order passed by the two courts below.

Accordingly, no case for interference is made out . The appeal is hereby dismissed.

[BHANWAROO KHAN], J.

[RAJESH BALIA], ACTG.C.J.

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